

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA**

IN THE MATTER OF: ) No. B-07-80051 C-13D  
Cornelius E. Archibald )  
 )  
 )  
 )  
Debtor(s) )

**ORDER GRANTING AMENDED MOTION TO AUTHORIZE DEBTOR  
TO ENTER INTO A LOAN MODIFICATION**

On January 13, 2011, a hearing was held on the Amended Motion by the Debtor for authorization to enter into a loan modification on an outstanding first mortgage on the property known as 915 N. Mangum St., Durham, NC ("the real property") with Ocwen Loan Servicing ("Ocwen"). At the hearing, Koury Hicks, Esq. appeared on behalf of the Debtor; Richard M. Hutson II, Standing Trustee appeared; and, no other party appeared or objected to the Debtor's Motion. The Court, after considering the Motion in this case and having heard and considered the statements of counsel and the Trustee, finds that the Motion should be allowed; therefore, it is ORDERED:

1. The Motion of the Debtor for authorization to enter into a loan modification is granted.
2. The Debtor is authorized to obtain the loan modification from Ocwen in the amount of \$205,378.69 with interest at a rate of 4.46% per annum, amortized for a period of 23 years, with monthly payments of approximately \$1,471.00 and a balloon payment at the end of the 23-year period, and the Debtor is further authorized to execute any and all documents necessary to consummate the loan modification with Ocwen.
3. Disbursements on the indebtedness due Ocwen shall be paid directly by the Debtor for a three-month trial period for the months of November and December, 2010 and January, 2011, with all arrearages allowed Ocwen through the Debtor's plan to be paid directly through the loan modification. Payments to Ocwen shall resume through the Debtor's plan with the installment due for February, 2011.
4. The Debtor shall resume making plan payments to the Trustee with the February, 2011, plan payment. Any default in payments prior to February, 2011, under the plan is waived and the plan shall be extended to the term necessary to pay the delinquent amount.
5. John T. Orcutt, Esq. is allowed the presumptive fee of \$450.00 for services rendered in the filing of this Motion which shall be paid through the Debtor's plan.

**PARTIES TO BE SERVED**

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**ALL PARTIES OF RECORD AS OF THE DATE OF THE ORDER SHALL BE  
SERVED BY THE BANKRUPTCY NOTICING CENTER**